

MALVERN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
MALVERN CITY HALL  
September 12, 2016 – 7 p.m.

The September 12, 2016, regular meeting of the Malvern City Council was called to order by Mayor Blackburn at 7:02 p.m. at the City Hall Council Chambers, Malvern, Iowa.

Mayor Blackburn recognized the following **Councilmembers as present**: Bruce Breeding, Fred Moreau, and Doug Shere. Kate McGann was present at 7:05; Roger Johnson present by teleconferencing at 7:07. Visitors: four. There were four requests to address the Council. City Clerk Mary Poort was also present.

Breeding motioned to approve the **consent agenda**: Regular Meeting Minutes – August 8, 2016, and the Current Expenditures. Moreau seconded. All ayes; motion carried.

Coleen Driscoll **addressed the Council** concerning a Block Party application. Shere motioned to approve the Block Party for October 9, 2016, for the C&M's Café Car Show. Breeding seconded. All ayes; motion carried.

Shane Sayers addressed the Council concerning duties of the Zoning Board of Adjustment having gone beyond the original intention of the Board. A suggestion was made by Rick Allely to consult the Iowa Land Use Planners Handbook to determine a separation of duties regarding the City zoning boards and zoning administrator. Sayers addressed another concern that met consensual comments in updating the City ordinances to state more clearly the intention for motorhome/camper parking in a residential area. The City Clerk was asked to do some research into how other cities' ordinances are addressing the issue and to place this topic on the October agenda.

Rick Allely, Mills County Economic Development Director, addressed the Council in an introductory fashion to explain his role with the County and his availability to help the cities in Mills County. His comments touched on updating ordinances to today's standards, input for County comprehensive planning, community needs, community planning to enhance grant availability, and a general invitation to the October 13<sup>th</sup>, 2016, MAPA/JEO/Zoning meeting, 7 p.m., Malvern Library.

Sharon Chickering, 1208 Prospect Avenue, addressed the Council regarding her water service line repair. Howard Peterson explained that the water line really needs to be moved out of the middle of the street. The cost to move the line could be \$6,000-\$8,000. Mayor Blackburn suggested that a good time to move the line is when improvements to the road are made and that can be noted at the Streets Department. A gravel fill is what is used now.

**DEPARTMENT UPDATES:**

**PeopleServiceReport** by Howard Peterson: Updating the **tower level controls** is estimated at \$12,000 - \$15,000 pursuant to a master level email. Concerns of the August 31<sup>st</sup> IDNR water inspection were the well house doors and the well head protection plan. A full report will be available next month. Corrosion control efforts will be determined through sampling with lead and copper bottles. Locates have been called in with efforts to repair the private service line on Prospect Avenue. With all the rains, a pre-draw down sample on the lagoon will determine if it can be discharged this month rather than IDNR's usual discharge in October, November, or December. Plant and system maintenance expenditures were presented totaling \$1,494 for the month. **Water quality**: daily flow charts were presented. Nitrates continue to be lower than 2015 levels.

Discussion on the **'No-Freeze' Drain Valve and Upgrade Contract** met with no decision. Concerns addressed

completing the preliminary water study first. Other comments addressed the water tower appearance which improves only with prepping the surface and painting.

Councilmember Johnson ended the teleconference call at 7:55 p.m.

**Street Superintendent Report** by Dave Hoose: Work orders as listed: tree trimming – general and bus routes, electrical repairs at Library, Paddock Park bench removal, City Hall gutter repair, alley grading and repair, West 8<sup>th</sup> Street -- drainage ditch and rework culvert and sidewalk, electrical upgrade/GFI protection at Bohner Park, mowing/equipment maintenance, asphalt bid prep for late September, seal coating bid prep/schedule early October, Main Street Bridge contractor contacts seeking bid quotes.

**Street work:** An \$11,008.80 approved bid from Sta-bilt Construction Company for second coats to seal coating streets was discussed.

Motion by Moreau and seconded by Shere, to add Prospect Avenue to the asphalt list if Main Street gets done first. All ayes; motion carried.

Motion by Moreau and seconded by Breeding, to add the East Ridge project using TIF money after Main Street and Prospect asphaltting. All ayes; motion carried.

Contracts for the **Main Street Bridge** are to be complete within six months, by February 9, 2017. Such repairs to embankment, abutment, expansion-joint, and spalling on the walk-way may close the bridge for two months. Alternate truck routes will need to be used.

Hoose's quotes from Affordable Asphalt – \$47,440; repairs – \$68,359. Funding comes from budget and bond.

McGann introduced a discussion on **replacement of Street Signs** at 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> Streets and Main Street intersections. Noted comments: add reflective street signs to the existing lamp posts; incorporate the street signs with the Iowa Great Places signage.

Motion by McGann and seconded by Moreau to purchase a portable water tank for the Streets Department in watering **downtown hanging baskets** for Spring/Summer 2017. All ayes; motion carried.

**UNFINISHED BUSINESS:** The voluntary **annexation process** has begun with invitational letter packets having been sent to landowners. Council members reviewed an aerial map and grounds listing. The proposed city limit borders would be mostly rectangular. One landowner meeting has taken place, with one scheduled. Options and opportunities can be explored. Taxes on ag land within city limits is a savings. The City Council has final say in annexation matters.

Councilmember Fred & Amy Moreau, Councilmember Kate McGann, and MABA Boardmember Beverly Dashner will attend the **All Star City Awards Banquet** in honor of Malvern being named an Iowa League of Cities' All Star winner. Attention was paid to the recent downtown facade renewal and dilapidated buildings now becoming inhabitable commercial spaces.

MABA President Deb Breeding addressed the Council with a 'Malvern Streetscape Project' handout regarding the **Iowa Great Places Grant**. This is a three-year grant. Different suggestions about what people would like to do are being considered. The amount of dollars has to stand firmly. A goal to preserve commercial space north of Mulholland Grocery is recognized with a courtyard idea. Mayor Blackburn explained the process – Various committees will work on placement of structures, securing permission from property owners and the City,

then back to MABA for approval.

Discussion was held regarding endorsement of an engineering firm for **water system recommendations**. Motion by Breeding per recommendation of the two Council representatives involved in the engineering firm selection committee, I move that we select JEO for the water study, and we request JEO to put together a quote for their services. Moreau seconded. All ayes; motion carried.

**NEW BUSINESS:** Motion by Breeding to approve **Resolution 2016-27 – Amending the Annual Iowa Street Financial Report** for the Year Ending June 30, 2016. Shere seconded. All ayes; motion carried.

Motion by Shere to approve the **FY 2016 Outstanding Obligations Disclosure Statement**. McGann seconded. All ayes; motion carried.

Motion by Shere to approve the **FY 2016 Annual Financial Report**. Moreau seconded. All ayes; motion carried.

Motion by Shere to approve **Resolutions 2016-29, 30, 31, 32 Certifying City Charges** for past due water bills. Seconded by Bruce. All ayes; motion carried.

Motion by McGann to approve **Resolution 2016-33 – Certifying City Charges** for a dangerous building abatement at 510 West 2<sup>nd</sup> Street. Moreau seconded. All ayes; motion carried.

Motion by McGann to approve Resolution **2016-34 – Quitclaim Deed**, Malvern Corp, LOT 11 W OF RR BLK 37, Suzanne Summers Hardiman. Breeding seconded. All ayes; motion carried.

A bid was presented from A&G Commercial Cleaning to **clean the City Hall carpet**. No action was required by the Council.

**MAYOR'S REPORT:** Mayor Blackburn entertained Council commentary on several offer ideas regarding the Marion Avenue Bridge. The BSFN Railroad offer coupled with agreements on circumstantial expenses and related land areas encompassed the discussion.

**PROJECT/MEETING UPDATES:** Pedaler's Jamboree – City Clerk Poort called attention to photos in the Malvern Leader of both the Boehner Park Jamboree area and Boehner Pond BBQ. The weather was good and the event was successful. Directional signage played a key role in biker patronage to the BBQ and downtown businesses for services. In-park vendors were limited most likely due to repercussions from a successful RAGBRAI effort.

Source Water Protection Meeting – Councilmember Breeding reported that DNR is putting together an analysis of what land owners are needed to be a part of the plan for controlling nitrates and if missing landowners are critical. Cost of treatment versus other options need researched.

Mills County Comprehensive Development Plan Meeting – Mayor Blackburn reported percentages of under-housed, over-housed, county rental ratio, and a need for duplexes and triplexes. #1 among recognized things in Mills County is the bike trail. Input for the County Comprehensive Plan will help determine the future. The MAPA/JEO/Zoning meeting October 13<sup>th</sup>, 7 p.m., at Malvern Library is a great opportunity to provide input.

CDBG Housing Rehabilitation Project: City Clerk Poort reported that work on the 509 Marion Avenue house has been extended until January 31, 2017. Historical features had been a concern in the initial application.

**NUISANCE DISTRICT UPDATES:**

District#1: Doug Shere: submitted one nuisance form.

District#2: Roger Johnson: Mayor Blackburn's comments: The Shere's have abated their property. Junk vehicles and campers abatement needs to be addressed in this area.

District#3: Kate McGann: Mayor Blackburn and McGann will assess this area for further clean-up.

District#4: Bruce Breeding: submitted two nuisance forms.

District #5: Fred Moreau: grass/weeds needs to be checked on East 9<sup>th</sup> Street. Fruit-bearing trees on the east corner of East 9<sup>th</sup> Street, East Ridge needs trimmed or taken out. Ordinances need to be checked.

**Mayor and Councilmember Comments on Non-Agenda Items:** : City Clerk Mary Poort read concerns from the Park Board, specifically problems with returns, water loss, sand, black residue, and a distressed budget when considering repairs in a timely manner to avoid any delay in next spring's opening. Comments mentioned the overwhelming task of fixing things only to find more money is needed for the same fixes later. Comments also mentioned the DNR Land and Conservation Fund for repairs and the Costello Grant for new construction. Timing to avoid closure will need to be part of an action plan that involves long-term goals. The Park Board would benefit greatly if a long-term plan is formally developed coordinating needs and wants with any avenues of grants or funding possible.

McGann motioned **to adjourn**. There being no further business, Mayor Blackburn closed the meeting at 10:03 p.m.

Michael K. Blackburn, Mayor

ATTEST:

Mary Poort, City Clerk